

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:	:	CHAPTER 7
	:	
BOBBY MANALCUS WILBANKS	:	
and KIMBERLY ANN WILBANKS,	:	CASE NO. 10-60990-WLH
	:	
Debtors.	:	

TRUSTEE’S APPLICATION FOR APPOINTMENT OF ATTORNEYS

COMES NOW S. Gregory Hays, as Chapter 7 Trustee (“**Trustee**” or “**Applicant**”) in the bankruptcy case of Bobby Manalcus Wilbanks and Kimberly Ann Wilbanks (“**Debtors**”), and respectfully represents as follows:

1.

Debtors initiated this case by filing a voluntary petition for relief under Chapter 13 of Title 11 of the United States Code (the “**Bankruptcy Code**”) on January 12, 2010. On May 20, 2010, an Order Discharging Chapter 7 Debtors was entered [Doc No. 19]. The Court entered an Order Approving, Discharging Trustee and Closing Estate [Doc. No. 51] on September 6, 2013.¹

2.

On June 18, 2018, the Court entered an order reopening the case [Doc. No. 57].

3.

Applicant was thereafter appointed and remains the duly acting Chapter 7 trustee in this case [Doc. No. 59].

4.

To administer this case in a proper, efficient, and economical manner, Applicant requires the services of legal counsel, and he wishes to employ the firm Arnall Golden Gregory LLP to

¹ Barbara Stalzer was originally the Chapter 7 Trustee in this case.

act as his attorneys in this case.

5.

The members and associates of said firm are admitted to practice in this Court, have knowledge and experience in bankruptcy practice and are well qualified to represent Trustee in this matter. Attached as Exhibit “A” is the Rule 2014 Verification of Arnall Golden Gregory LLP.

6.

The current hourly billing rates (as reduced) of the attorneys and paralegals who may render services in the case follow:

1.	Neil C. Gordon	\$560.00
2.	Frank N. White	\$535.00
3.	Michael F. Holbein	\$495.00
4.	Michael J. Bargar	\$415.00
5.	William D. Matthews	\$395.00
6.	Angela G. Ford	\$195.00
7.	Nancy J. Overholtzer	\$195.00
8.	Pamela E. Bicknell	\$195.00
9.	Carol A. Stewart	\$170.00

Depending on need for particular experience or the exigencies of the case, other attorneys may also provide services. The above rates may be increased during the term of the proposed employment or if so awarded by the Court.

7.

Professional services, for which counsel for Trustee are necessary in this case, relate to the recovery of assets by Trustee, including the preparation, filing, and prosecution of any motions to settle, motions for turnover, adversary proceedings, as well as all claims objections, applications, and other necessary services. Specifically, it is necessary to retain attorneys to assist Applicant with legal issues regarding the investigation, recovery, monetization, and distribution

of certain personal property interests of Ms. Wilbanks. Applicant may also require the services of said professionals to assist with other legal matters, which may arise during the administration of this case.

8.

The professional services, for which it is necessary that an attorney act, may also include:

- (a) Preparation of pleadings and motions and conducting of examinations incidental to the administration of the estate;
- (b) Services incidental to preservation and disposition of assets;
- (c) Investigation, analysis, and appropriate action, if required, relative to any preference, fraudulent transfer, unperfected security interest, improper disposal of assets, prosecution of the estate's claims, or pending litigation;
- (d) Any and all other necessary action incident to the proper preservation and administration of the estate.

9.

To the best of Applicant's knowledge, said firm's acting as attorneys in this case will be in the best interest of the estate, Debtors, creditors, and other parties in interest. Except as otherwise disclosed herein and in the Bankruptcy Rule 2014 Verification of Michael J. Bargar, said firm does not hold or represent an interest adverse to the estate, does not represent any creditor or other known interested party, and is a disinterested person under 11 U.S.C. § 327(a).

10.

To expedite the marshalling of the estate's assets, Arnall Golden Gregory LLP has heretofore performed certain professional services for the estate or plans to perform such services, which may be rendered prior to the signing of any order upon this Application.

11.

Applicant proposes that said firm be compensated for its services in accordance with future orders of the Court based upon the criteria for professional compensation required by bankruptcy law. No compensation will be paid by Applicant to said law firm except upon application to and approval by the Court after notice and hearing as required by law.

WHEREFORE, Applicant prays that Arnall Golden Gregory LLP be authorized to act as Applicant's attorney in this case and that such authorization continue if said firm should assist any successor Trustee.

Respectfully submitted this 9 day of August, 2018.



S. Gregory Hays
Chapter 7 Trustee

Hays Financial Consulting, LLC
2964 Peachtree Rd, NW, Suite 555
Atlanta, GA 30305
(404) 926-0060
(404) 926-0055 (facsimile)

Respectfully submitted this 10th day of August, 2018.

Proposed Attorneys for Trustee:
ARNALL GOLDEN GREGORY LLP

171 17th Street, NW, Suite 2100
Atlanta, GA 30363
(404) 873-8500

By: /s/ Michael J. Bargar
Michael J. Bargar
Georgia Bar No. 645709
michael.bargar@agg.com

10.

To expedite the marshalling of the estate's assets, Arnall Golden Gregory LLP has heretofore performed certain professional services for the estate or plans to perform such services, which may be rendered prior to the signing of any order upon this Application.

11.

Applicant proposes that said firm be compensated for its services in accordance with future orders of the Court based upon the criteria for professional compensation required by bankruptcy law. No compensation will be paid by Applicant to said law firm except upon application to and approval by the Court after notice and hearing as required by law.

WHEREFORE, Applicant prays that Arnall Golden Gregory LLP be authorized to act as Applicant's attorney in this case and that such authorization continue if said firm should assist any successor Trustee.

Respectfully submitted this _____ day of August, 2018.

S. Gregory Hays
Chapter 7 Trustee

Hays Financial Consulting, LLC
2964 Peachtree Rd, NW, Suite 555
Atlanta, GA 30305
(404) 926-0060
(404) 926-0055 (facsimile)

Respectfully submitted this 10th day of August, 2018.

Proposed Attorneys for Trustee:
ARNALL GOLDEN GREGORY LLP

By: /s/ Michael J. Bargar
Michael J. Bargar
Georgia Bar No. 645709
michael.bargar@agg.com

171 17th Street, NW, Suite 2100
Atlanta, GA 30363
(404) 873-8500

EXHIBIT "A"

**RULE 2014 VERIFICATION WITH REGARD TO
EMPLOYMENT OF ATTORNEYS**

The undersigned hereby declares under penalty of perjury:

1. I am an associate with the law firm of Arnall Golden Gregory LLP, with offices at 171 17th Street, NW, Suite 2100, Atlanta, Georgia 30363 (the "**Firm**").

2. The Firm has been asked to represent S. Gregory Hays, as Chapter 7 Trustee ("**Trustee**") in the bankruptcy case of Bobby Manalocus Wilbanks and Kimberly Ann Wilbanks ("**Debtors**"). To the best of my knowledge, the Firm has no professional, business, or other connection with the aforementioned Debtors, their creditors, or any party in interest in this case, except as set forth below. The Firm represents no interest which would be adverse to the estate of Debtors in connection with the matters upon which the Firm is to be engaged. Disclosure is made that the Firm has previously represented and does represent Trustee (in his capacity as a bankruptcy trustee) as special or general counsel in unrelated matters.

3. The Firm will not expect nor receive any compensation from the estate except upon application to and approval by the Bankruptcy Court after notice and hearing.

Dated this 10th day of August, 2018.

By: /s/ Michael J. Bargar
Michael J. Bargar
Georgia Bar No. 645709

CERTIFICATE OF SERVICE

This is to certify that I have this day served the foregoing *Trustee's Application for Appointment of Attorneys* by depositing in the United States mail a copy of same in a properly addressed envelope with adequate postage affixed thereon to assure delivery by first class mail to the following entities at the addresses stated:

Office of the United States Trustee
362 Richard B. Russell Building
75 Ted Turner Drive, SW
Atlanta, GA 30303

S. Gregory Hays
Hays Financial Consulting, LLC
2964 Peachtree Rd, NW, Suite 555
Atlanta, GA 30305

Bobby Manalacus Wilbanks
943 Lake Stone Lea Drive
Oxford, GA 30054

Kimberly Ann Wilbanks
943 Lake Stone Lea Drive
Oxford, GA 30054

Karen Scott Greene
Karen Scott Greene, PC
PO Box 390322
Snellville, GA 30039

This 10th of August, 2018.

/s/ Michael J. Bargar
Michael J. Bargar
Georgia Bar No. 645709